

**ASSEMBLY BILL**

**No. 2090**

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**Introduced by Assembly Member Coto**

February 18, 2010

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An act to add and repeal Section 41055 of the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2090, as introduced, Coto. Education finance: study relating to weighted pupil funding formulas.

Existing law requires a county superintendent of schools to calculate a revenue limit for each school district in the county pursuant to specified formulas, including the calculation of the average daily attendance of the district. Categorical programs exist to fund specific educational programs. Economic impact aid is provided to school districts based, in part, on the concentration of economically disadvantaged pupils and English language learners.

This bill would express legislative intent to simplify and make transparent the process through which funding is provided for each public school pupil, to equalize the funding for pupils within significant parameters, and to focus per-pupil funding on enabling all California pupils to reach high state academic standards.

The bill would require the Governor, the Superintendent of Public Instruction, and the Legislature, no later than February 1, 2011, to each appoint 3 members of the 9-member Commission on Pre K-12 Funding, which would be established by the bill and charged with completing a study related to weighted pupil funding formulas. The bill would specify topics to be included in the study. The bill would require the study to be submitted to the Superintendent for distribution to the Legislature

no later than December 31, 2011. The bill would limit the amount that would be available, from existing funds of the State Department of Education, to the commission to no more than \$60,000.

This bill would make these provisions inoperative on July 1, 2012, and would repeal these provisions as of January 1, 2013.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The National Assessment of Education Progress in 2005  
4 ranked California the seventh lowest in mathematics in grade 8  
5 and the third lowest in reading in grade 8 among all 50 states and  
6 the District of Columbia. The results for science in 2005 stated  
7 that the performance of pupils in California was the second lowest  
8 among the 44 states that participated in that survey.

9 (b) The Governor's Advisory Committee on Education  
10 Excellence, the Secretary for Education, the President pro Tempore  
11 of the Senate, the Speaker of the Assembly, and the Superintendent  
12 of Public Instruction requested that the Getting Down to Facts  
13 Project be conducted to aid in the reform of public education in  
14 kindergarten and grades 1 to 12, inclusive, in California.

15 (c) The Getting Down to Facts Project, using grants provided  
16 by the Bill & Melinda Gates Foundation, the William and Flora  
17 Hewlett Foundation, the James Irvine Foundation, and the Stuart  
18 Foundation, brought together an array of scholars from 32  
19 institutions with diverse expertise and policy orientations to  
20 synthesize what is known about the school governance and finance  
21 systems in California as a basis for convening the necessary public  
22 conversations to determine what should be done to improve public  
23 education in kindergarten and grades 1 to 12, inclusive, in  
24 California.

25 (d) On March 14 and 15, 2007, the findings of the more than  
26 20 studies included in the Getting Down to Facts Project were  
27 released.

28 (e) It is necessary to replace the outmoded, arcane, and little  
29 understood formula used for funding kindergarten and grades 1 to  
30 12, inclusive, education in California public schools.

1 SEC. 2. Section 41055 is added to the Education Code, to read:  
2 41055. (a) It is the intent of the Legislature to do all of the  
3 following:

4 (1) Simplify and make transparent the process through which  
5 funding is provided for each public school pupil.

6 (2) Equalize the funding for pupils within significant parameters,  
7 including the varying costs of living throughout the state, the  
8 differences in the costs to educate pupils based on grade level, and  
9 the varying costs to educate pupils based on their individual needs.

10 (3) Focus per-pupil funding on enabling all California pupils to  
11 reach the high academic performance standards of the state.

12 (b) The Governor, Superintendent, and the Legislature shall  
13 each appoint three members to a nine-member commission, to be  
14 known as the Commission on Pre K-12 Funding, to complete a  
15 comprehensive study of key factors to be considered in the creation  
16 of weights within the concept of a weighted formula for funding  
17 pupil learning, with the basic assumption that more resources are  
18 needed to educate some pupils than to educate other pupils. The  
19 study shall include a set of recommendations for a weighted pupil  
20 formula based on differing pupil needs and objective and thorough  
21 research. The members of the commission shall be appointed no  
22 later than February 1, 2011.

23 (c) The study shall be completed by the Commission on K-12  
24 Funding no later than December 31, 2011. The commission shall  
25 receive priorities, parameters, criteria, and a clear definition of the  
26 work expected. The completed study shall be submitted to the  
27 Superintendent for distribution to the Legislature no later than  
28 December 31, 2011.

29 (d) The study shall include, but not necessarily be limited to,  
30 an examination of all of the following:

31 (1) Weighted pupil formulas used in other states and nations.

32 (2) Pertinent scholarly literature.

33 (3) Data relating to current funding levels and their relationship  
34 to pupil success.

35 (4) The ready availability of data for use in instituting new  
36 formulas.

37 (e) The study shall include, but not necessarily be limited to,  
38 discussion of all of the following:

1 (1) Current weighted funding levels in this state, considered in  
2 terms of categorical allowances and other supplemental programs  
3 serving specific pupil populations.

4 (2) Appropriate funding weighting factors deemed to meet the  
5 needs of special needs pupil populations, including English  
6 language learners, special education pupils, gifted and talented  
7 pupils, and pupils from low-income households.

8 (3) Appropriate funding, as defined to meet the educational  
9 needs of all pupils, with added weighted factors taking special  
10 needs into account.

11 (4) Recommendations for demonstrating and ensuring  
12 accountability for all pupil achievement performance on the part  
13 of local educational agencies to a new funding process that  
14 eliminates many existing categorical programs and their  
15 compliance requirements.

16 (5) Subsuming all previous mandate obligations without  
17 subsuming existing prior year mandate debts owed to local  
18 educational agencies.

19 (6) Base recommendations on a rollout timeline that ensures  
20 that local educational agencies will not experience year-over-year  
21 reductions in funding when the new formula becomes effective.

22 (f) The study shall include a proposal for the best course of  
23 action, based upon and supported by an extensive body of research,  
24 to achieve a weighted pupil funding formula.

25 (g) The commission will have available to it, from existing funds  
26 of the State Department of Education, an amount not to exceed  
27 sixty thousand dollars (\$60,000) for the performance of its duties.

28 (h) This section shall become inoperative on July 1, 2012, and,  
29 as of January 1, 2013, is repealed, unless a later enacted statute,  
30 that becomes operative on or before January 1, 2013, deletes or  
31 extends the dates on which it becomes inoperative and is repealed.